

Senate Bill No. 672

Passed the Senate September 8, 2005

Secretary of the Senate

Passed the Assembly September 6, 2005

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2005, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Section 84810.5 of the Education Code, relating to community colleges.

LEGISLATIVE COUNSEL'S DIGEST

SB 672, Cox. Community colleges: inmate education programs: computation of apportionments.

Existing law establishes the California Community Colleges under the administration of the Board of Governors of the California Community Colleges.

Existing law provides that, notwithstanding open course provisions in statute or regulations of the board of governors, the governing board of a community college district that provides classes for inmates of certain facilities, including a federal correctional facility, may include the units of full-time equivalent students generated in those classes for purposes of state apportionments.

This bill would instead require the open course provisions in statute or regulations of the board of governors to be waived for any governing board of a community college district that provides those classes for inmates, including inmates of state correctional facilities, and would authorize the board of governors to include the units of full-time equivalent students generated in those classes for purposes of state apportionments.

Existing law provides for the method of computing apportionments for purposes of these inmate education programs.

This bill would make revisions to that method of computation.

The bill would prohibit a community college district from claiming, under the bill, for purposes of apportionments, any class for which a district receives full compensation for its direct education costs for the conduct of the class from any public or private agency, individual, or group of individuals, and any class offered pursuant to a contract or instructional agreement entered into between the district and a public or private agency, individual, or group of individuals that has received from another source full compensation for the costs the district incurs under that contract or instructional agreement, as prescribed.

The people of the State of California do enact as follows:

SECTION 1. Section 84810.5 of the Education Code is amended to read:

84810.5. (a) Open course provisions in statute or regulations of the board of governors shall be waived for any governing board of a community college district that provides classes for inmates of any city, county, or city and county jail, road camp, farm for adults, or state or federal correctional facility. This section shall not be construed to authorize the waiver of open course provisions in any context or situation other than those that are specifically authorized in this section. Subject to limitations set forth in subdivision (b), the board of governors may include the units of full-time equivalent students (FTES) generated in those classes for purposes of state apportionment. The attendance hours generated by credit or noncredit shall be added and counted for apportionment purposes.

(b) (1) No community college district may claim for purposes of state apportionment under this section any class to which either of the following applies:

(A) The district receives full compensation for its direct education costs for the conduct of the class from any public or private agency, individual, or group of individuals.

(B) The district has a contract or instructional agreement, or both, for the conduct of the class with a public or private agency, individual, or group of individuals, that has received from another source full compensation for the costs the district incurs under that contract or instructional agreement.

(2) In reporting a claim for apportionment to the chancellor under this section, the district shall report any partial compensation it receives from the sources described in subparagraphs (A) and (B) of paragraph (1) during the period for which the claim is made. The chancellor shall subtract the amount of any partial compensation received from the total apportionment to be paid.

(c) This section shall not be construed as providing a source of funds to shift, supplant, or reduce the costs incurred by the Department of Corrections in providing inmate education programs.

Approved _____, 2005

Governor